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September 25, 1996

BY HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: Ex Parte Presentation
MM Docket No. 93-48

Dear Mr. Caton:

On September 25, 1996, Heritage Media Corporation ("Heritage") made a written ex parte presentation in MM Docket No. 93-48 to Chairman Reed E. Hundt. Pursuant to Section 1.1206(a)(1) of the Commission's Rules, an original and two copies of this letter are enclosed.

Very truly yours,



Tom W. Davidson, P.C.

Enclosure

cc: Chairman Reed E. Hundt
Ms. Peggy Charren

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September 17, 1996

Federal Communications Commission
Office of Secretary

Chairman Reed E. Hundt
Federal Communications Commission
Room 814
1919 M. Street, N.W.
Washington, D.C. 20554

Re: Ex Parte Presentation
Docket No. MM Docket 93-48

Dear Chairman Hundt:

I am writing this letter on behalf of Heritage Media Corporation ("Heritage"), the owner of television stations WEAR-TV, Pensacola, Florida; WPTZ(TV), Plattsburgh, New York; WNNE-TV, Hartford, Vermont; WCHS-TV, Charleston, West Virginia; and KOKH-TV, Oklahoma City, Oklahoma.

Heritage applauds your leadership efforts and those of the other Commissioners in forging ahead to adopt rules designed to increase the amount of educational and informational television programming available to children. Heritage is fully committed to its obligation to televise educational programming for children, but children no longer watch commercial television. All our information regarding commercial television viewing by children is based upon the Nielsen television ratings.

Heritage believes that the measurement techniques used by Nielsen to solicit information on the size and socio-demographic characteristics of children's television programming audiences have been woefully inadequate. When Nielsen converted from the household meter/diary system to peplemeters in 1987, for example, the viewers per 1,000 viewing household for children ages 2 to 11 dropped by 30 percent for children's programs.¹ Several reasons have been advanced for the slumping


¹ Goldstein, Maureen, Kids' Research Stumbles on Meter Issue: Children's Usage of People Meter Television Program Ratings System, Inside Media, April 3, 1991, at 8. See also, McClellan, Steve, Nobody Loves the Umpire: The Life and Hard Times of Nielsen Media Research. The Ratings Dilemma, Broadcasting and Cable, April 8, 1996, at 20.



numbers. One is the problem of trying to engage the cooperation of children.² Another problem identified by researchers is Nielsen's lack of responsiveness. It has been the impression of many in the television industry that Nielsen has not admitted its shortcomings and attempted to improve the process for measuring children's television viewing.³ Even when diaries are used to ascertain children's television viewing habits, it is our belief that the diaries often are completed by adults. The results can become skewed because we believe that some parents inaccurately record their children's viewing habits by claiming the children watched noncommercial public broadcast television shows when, in fact, the children were watching commercial television programs. For some time, syndicators have tried unsuccessfully to convince Nielsen to initiate steps to accurately ascertain the level of children's television viewing.⁴

Because this deficiency has not been remedied by marketplace forces, I urge you to institute an examination of the techniques used by Nielsen to evaluate children's viewing habits and methods used to verify the accuracy of those results, especially those of children. Until Nielsen or some other entity develops a survey technique that accurately measures what programming children like and watch, television program producers and distributors are not likely to produce an adequate quantity of high quality educational and informational children's programs to fulfill your important policy objectives.

Very truly yours,


James J. Robinette
President, Television Group

cc: Ms. Peggy Charren

² Researchers suspect that kids are taking shortcuts. If the television receiver, for example, was left on after a parent completes watching the afternoon programs and the child comes home from school to watch children's programming on the same channel, it is believed that instead of taking the extra steps to log on as a new viewer, the child takes the simpler approach and presses one button that tells the meter that the adult viewer is watching a different program. Kids' Research Stumbles on Meter Issue, at 8; Flint, Joe, Silent Viewers: Difficulties Measuring Children: Nielsen Media Research, Broadcasting, March 25, 1991, at 77. Market research results support this explanation as adult viewership of children's programming has been larger than expected since Nielsen replaced the diary system with peplemeters. Id.

³ Kids' Research Stumbles on Meter Issue, at 8.

⁴ Kids' Research Stumbles on Meter Issue, at 8; Silent Viewers: Difficulties Measuring Children: Nielsen Media Research, at 77.